IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 134 of 2007()

Crime No.167/06 of Vythiri Police Station

: PETITIONER/ACCUSED

MURUKAN.R., S/O.RAMAR,
AGED 26 YEARS, ACHOOR HML ESTATE,
KALLOOR DIVISION, POZHUTHANA P.O., VYTHIRI
TALUK, POZHUTHANA VILLAGE, WAYANAD DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.134 of 2007

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Dated this the 11th day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.167 of 2006 of Vythiri Police Station for offences punishable under Sections 452, 376 and 506(1) I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The alleged occurrence took place on 20.9.2006 at 3.30 p.m. when the petitioner is alleged to have ravished the de facto complainant aged 22 years after trespassing into her room in the line building.

4. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Investigating Officer for custodial interrogation and thereafter to have his regular bail application considered by the Magistrate. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 15.1.2007 and 17.1.2007 for the purpose of custodial

interrogation. The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.Ramkumar,
Judge.

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